

REPORT

To: Iowa Attorney General Tom Miller

From: Kids First Law Center

Date: January 22, 2008

RE: **Pilot Project – Numbers Served and Other Measures of Success**

Per SF 575 that was adopted by the 2007 Iowa legislature, Kids First is submitting this mid-term report on the number of children and families served and other measures used to determine the success of its pilot project for at-risk children of divorce.

Number Served:

At this early stage, five months into the pilot project, Kids First can report that it has:

- Represented 17 children in high-conflict divorce cases;
- Led 2 educational workshops for 11 children of divorcing parents;
- Enrolled 21 additional children in upcoming workshops;
- Obtained court orders requiring an additional 32 children to attend the workshops.

In addition to the youth served during this initial period, Kids First has laid the groundwork to help a significant number of children in the future. Kids First projects that in the next 6 months of the project period, its classes will serve an additional 200 children. Because of time devoted to start-up, these numbers do not reflect what can be accomplished in a year. In a year that Kids First's project is fully operational, we anticipate that 578 children will be served in Linn County alone.

During this early phase of the pilot project, Kids First has made significant strides in developing a program that will help more kids in the future: it hired qualified staff to run the program, designed and implemented workshops for children, and served more children than anticipated in the court system.

Obstacles Facing the Project:

Two obstacles prevented Kids First from reaching more children during the initial five months of the project. First, designing the curricula and workbooks for the three children's classes was an extremely labor-intensive process that took three months to complete. Kids First was then prepared to lead the classes starting December 1, 2007.

The second obstacle has been low class attendance. Classes could not start until January 2008 because almost 60% of divorcing couples have failed to enroll their kids in the class despite being ordered to do so. Between November 19, 2007 (when Linn County judges began ordering parents to enroll their children in the Kids First class) and January 18, 2008, 58 couples with children filed for divorce in Linn County. Of those:

- 15 couples have enrolled their kids in the class.

- 22 couples that should have enrolled their kids in the class have not done so.
- 21 couples have children under age 6 and thus are not required to enroll them in the class.

After identifying noncompliance as an issue, Kids First brought the problem to the court's attention. The court allowed Kids First to review divorce files and identify noncompliant cases. To ensure uniform compliance, the court is entering further orders. Compliance should also increase as attorney awareness about the program increases.

Compliance with Programmatic Requirements:

The terms of SF 575 and our contract with the Iowa Attorney General's office instructed us to provide a support group for school-age children of divorcing parents and an alternative dispute resolution family coordinator for divorcing families. To that end, Kids First hired attorney Laura Ebinger who began full-time implementation of both of these programs on August 6, 2007. Ms. Ebinger performs two roles at Kids First: (1) she serves as class coordinator of the new divorce class for children, and (2) she resolves conflict in individual divorce cases as the child advocate.

Divorce Classes:

As the class coordinator, Ms. Ebinger has:

- ✓ Reviewed curricula from several other children's divorce programs around the country;
- ✓ Consulted with coordinators and class leaders of those programs;
- ✓ Designed three different curricula for children ages 6-9, 10-13, and 14-16 after requesting input from child professionals (i.e. teachers, therapists);
- ✓ Created colorful and interactive workbooks that child participants take home;
- ✓ Obtained unanimous agreement of Sixth Judicial District Court judges to mandate class attendance;
- ✓ Led two children's classes and scheduled upcoming classes.

Child Advocate:

As a child advocate, Ms. Ebinger has provided in-depth representation to 17 children whose parents are engaged in high-conflict divorces. In these cases she has:

- ✓ Met with children regularly to understand the child's perspective;
- ✓ Consulted with parents, child therapists, teachers, and others to better understand the children's needs;
- ✓ Resolved day-to-day issues by employing alternative dispute resolution techniques;
- ✓ Worked to improve parental communication and co-parenting;
- ✓ Identified and proposed creative solutions tailored to the individual family's situation;
- ✓ Encouraged settlement agreements between the parents to help families avoid trial;
- ✓ Connected children with needed services.

Benefits of the Program:

Divorce Classes: On November 19, 2007, the Sixth Judicial District Court judges began mandating class attendance for all children ages 6-16 whose parents file for divorce in Linn County.

Each class uses age-appropriate role-plays, discussions, artwork, games, and video clips to illustrate these themes:

- Divorce is never the kids' fault.
- They are not alone: kids share similar experiences.
- Their feelings are normal and okay.
- It is important to express their feelings to parents and other adults in their support network.
- They have a right not to be in the middle of their parents' fights and a right not to take sides.
- They can know what to expect from the legal process.
- There is hope that things can get better.

The first class for 10-13 year olds began with two of the boys saying they believed the class would be "really boring," but ended with the kids unanimously agreeing that they all wanted to return for another workshop. At the class for 14-16 year olds, all of the children's eyes watered as they talked about the pain of their parents' divorce—their hurt over parents' new boyfriends or girlfriends, their shock when they came home and found their mother's things gone, their anger about parents' addictions, and their frustration at the ways their parents involve them in adult fights.

These kids appear to be strengthened in hearing and seeing that other kids share similar experiences. They are also gaining skills to handle common divorce scenarios and ways to talk about their feelings with parents. One 11-year-old boy's father had expressed concerns before the class that his son was acting out and wasn't sharing his feelings with anyone; after the class, he reported that upon getting in the car after the Kids First workshop, this boy opened up about the divorce for the first time.

Child Advocate: Although all of the individual cases in which Ms. Ebinger was court-appointed are still pending, the children's lives have improved in noticeable ways. For example, one case involves eleven-year-old "Carmen," who described being in the middle of her parents' fight this way: "It's like tug of war, and now I know how the rope feels. Sometimes I just want to shake some sense into my parents and tell them, 'Stop fighting over me, I love both of you.'" Carmen is failing two classes at school and is left alone after school with her suicidal half-sister who suffers from borderline personality disorder and cuts herself. Ms. Ebinger has met with both parents, consulted with Carmen's therapist, and set up a conference with Carmen's teachers to coordinate efforts to help Carmen. Ms. Ebinger was also successful in preventing a delay of the court trial so that this window of stress for Carmen is shortened. She has also given Carmen accurate information about what to expect from the court process and has counseled her that she does not have to choose between her parents. We believe these efforts help reduce Carmen's anxiety and make it less likely that she will end up in the juvenile court system.

Expansion of the Pilot Program:

Because of the above-noted benefits of this project, Kids First seeks funding to continue to serve as a child advocate in individual divorce cases and to improve and expand divorce classes for children. As Chief Justice Marsha Ternus urged in her State of the Judiciary:

I want to emphasize the importance of doing all we can in this legislative session to address the special needs of children who are in our care because the work we do now will in many ways affect their future, and ultimately, the future of our communities.

All children deserve to have guidance in going through the trauma of divorce. With continued funding for an additional year, Kids First would:

- Continue to offer kids divorce classes in Linn County for 538 children;
- Improve classes by measuring outcomes and modifying the curricula and workbooks based on their effectiveness in each age group;
- Gain experience leading classes to have the background needed to train other potential class facilitators around the state;
- Expand the classes to include Johnson County children;
- Continue to provide child advocacy in 40 individual cases in Linn and Johnson County.

After a year of testing the program in these two counties, Kids First would have the curriculum and experience to train other organizations to offer these services around the state. Based on census data for Linn County and the state of Iowa, **6,500 school-age Iowa kids become children of divorce each year and could benefit from this service if the program were expanded statewide.**

Thank you for giving Kids First the opportunity to serve some of the most vulnerable children in our state. We look forward to continuing our work to positively affect Iowa's future.

Respectfully submitted,

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